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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MORGAN BRUNSTROM,

Plaintiff,

vs.

PINNACLE CREDIT SERVICES, LLC, et al.,

Defendants.

Case No.: 2:11-CV-01989-JCC

ANSWER AND AFFIRMATIVE DEFENSES  
OF PINNACLE CREDIT SERVICES, LLC

COMES NOW Pinnacle Credit Services, LLC (PCS), without waiving any objections, rights, and defenses relating to jurisdiction and process, hereby answers Plaintiff's First Amended Complaint (Plaintiff's Complaint) [ECF No. 4] as follows:

I. ANSWER

1.1 PCS admits this Court has jurisdiction over claims under the FDCPA, and denies liability, and denies the remaining allegations contained in Paragraph 1 of Plaintiff's Complaint.

1.2 PCS admits this Court has jurisdiction over claims under the FDCPA, and denies liability, and denies the remaining allegations contained in Paragraph 2 of Plaintiff's Complaint.

1.3 PCS admits venue is proper against PCS in this judicial district, but denies the

ANSWER AND AFFIRMATIVE DEFENSES OF PINNACLE  
CREDIT SERVICES, LLC - 1  
Case No. 2:11-CV-01989-JCC

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1 remaining allegations contained in Paragraph 3 of Plaintiff's Complaint.

2 1.4 PCS denies the allegations contained in Paragraph 4 of Plaintiff's Complaint.

3 1.5 PCS lacks sufficient information to determine the truth or falsity of the allegations  
4 made in Paragraph 5 of Plaintiff's Complaint, and therefore denies the allegations contained in  
5 Paragraph 5 of Plaintiff's Complaint.

6 1.6 PCS denies the allegations contained in Paragraph 6 of Plaintiff's Complaint.

7 1.7 PCS admits the allegations contained in Paragraph 7 of Plaintiff's Complaint.

8 1.8 PCS lacks sufficient information to determine the truth or falsity of the allegations  
9 made in Paragraph 8 of Plaintiff's Complaint, and therefore denies the allegations contained in  
10 Paragraph 8 of Plaintiff's Complaint.

11 1.9 PCS lacks sufficient information to determine the truth or falsity of the allegations  
12 made in Paragraph 9 of Plaintiff's Complaint, and therefore denies the allegations contained in  
13 Paragraph 9 of Plaintiff's Complaint.

14 1.10 PCS lacks sufficient information to determine the truth or falsity of the allegations  
15 made in Paragraph 10 of Plaintiff's Complaint, and therefore denies the allegations contained in  
16 Paragraph 10 of Plaintiff's Complaint.

17 1.11 PCS admits the allegations contained in Paragraph 11 of Plaintiff's Complaint.

18 1.12 PCS admits the allegations contained in Paragraph 12 of Plaintiff's Complaint.

19 1.13 PCS denies the allegations contained in Paragraph 13 of Plaintiff's Complaint.

20 1.14 PCS admits the allegations contained in Paragraph 14 of Plaintiff's Complaint.

21 1.15 PCS denies the allegations contained in Paragraph 15 of Plaintiff's Complaint.

22 1.16 PCS denies the allegations contained in Paragraph 16 of Plaintiff's Complaint.

23 1.17 PCS denies the allegations contained in Paragraph 17 of Plaintiff's Complaint.

24 1.18 PCS denies the allegations contained in Paragraph 18 of Plaintiff's Complaint.

25 1.19 PCS denies the allegations contained in Paragraph 19 of Plaintiff's Complaint.

26 1.20 PCS lacks sufficient information to determine the truth or falsity of the allegations

1 made in Paragraph 20 of Plaintiff's Complaint, and therefore denies the allegations contained in  
2 Paragraph 20 of Plaintiff's Complaint.

3 1.21 PCS lacks sufficient information to determine the truth or falsity of the allegations  
4 made in Paragraph 21 of Plaintiff's Complaint, and therefore denies the allegations contained in  
5 Paragraph 21 of Plaintiff's Complaint.

6 1.22 PCS lacks sufficient information to determine the truth or falsity of the allegations  
7 made in Paragraph 22 of Plaintiff's Complaint, and therefore denies the allegations contained in  
8 Paragraph 22 of Plaintiff's Complaint.

9 1.23 PCS lacks sufficient information to determine the truth or falsity of the allegations  
10 made in Paragraph 23 of Plaintiff's Complaint, and therefore denies the allegations contained in  
11 Paragraph 23 of Plaintiff's Complaint.

12 1.24 PCS lacks sufficient information to determine the truth or falsity of the allegations  
13 made in Paragraph 24 of Plaintiff's Complaint, and therefore denies the allegations contained in  
14 Paragraph 24 of Plaintiff's Complaint.

15 1.25 PCS lacks sufficient information to determine the truth or falsity of the allegations  
16 made in Paragraph 25 of Plaintiff's Complaint, and therefore denies the allegations contained in  
17 Paragraph 25 of Plaintiff's Complaint.

18 1.26 PCS lacks sufficient information to determine the truth or falsity of the allegations  
19 made in Paragraph 26 of Plaintiff's Complaint, and therefore denies the allegations contained in  
20 Paragraph 26 of Plaintiff's Complaint.

21 1.27 PCS lacks sufficient information to determine the truth or falsity of the allegations  
22 made in Paragraph 27 of Plaintiff's Complaint, and therefore denies the allegations contained in  
23 Paragraph 27 of Plaintiff's Complaint.

24 1.28 PCS lacks sufficient information to determine the truth or falsity of the allegations  
25 made in Paragraph 28 of Plaintiff's Complaint, and therefore denies the allegations contained in  
26 Paragraph 28 of Plaintiff's Complaint.

1           1.29   PCS lacks sufficient information to determine the truth or falsity of the allegations  
2 made in Paragraph 29 of Plaintiff's Complaint, and therefore denies the allegations contained in  
3 Paragraph 29 of Plaintiff's Complaint.

4           1.30   PCS lacks sufficient information to determine the truth or falsity of the allegations  
5 made in Paragraph 30 of Plaintiff's Complaint, and therefore denies the allegations contained in  
6 Paragraph 30 of Plaintiff's Complaint.

7           1.31   PCS lacks sufficient information to determine the truth or falsity of the allegations  
8 made in Paragraph 31 of Plaintiff's Complaint, and therefore denies the allegations contained in  
9 Paragraph 31 of Plaintiff's Complaint.

10          1.32   PCS lacks sufficient information to determine the truth or falsity of the allegations  
11 made in Paragraph 32 of Plaintiff's Complaint, and therefore denies the allegations contained in  
12 Paragraph 32 of Plaintiff's Complaint.

13          1.33   PCS lacks sufficient information to determine the truth or falsity of the allegations  
14 made in Paragraph 33 of Plaintiff's Complaint, and therefore denies the allegations contained in  
15 Paragraph 33 of Plaintiff's Complaint.

16          1.34   PCS lacks sufficient information to determine the truth or falsity of the allegations  
17 made in Paragraph 34 of Plaintiff's Complaint, and therefore denies the allegations contained in  
18 Paragraph 34 of Plaintiff's Complaint.

19          1.35   PCS admits it purchased a past due debt against Plaintiff, and PCS denies the  
20 remaining allegations contained in Paragraph 35 of Plaintiff's Complaint.

21          1.36   PCS denies the allegations contained in Paragraph 36 of Plaintiff's Complaint.

22          1.37   PCS admits it purchases accounts, and denies the remaining allegations contained in  
23 Paragraph 37 of Plaintiff's Complaint.

24          1.38   PCS admits it hires other entities to collect its purchased accounts, and denies the  
25 remaining allegations contained in Paragraph 38 of Plaintiff's Complaint.

26          1.39   PCS admits the allegations contained in Paragraph 39 of Plaintiff's Complaint to the

1 extent that PCS purchased a past due account of Plaintiff.

2 1.40 PCS denies the allegations contained in Paragraph 40 of Plaintiff's Complaint.

3 1.41 PCS denies the allegations contained in Paragraph 41 of Plaintiff's Complaint.

4 1.42 PCS lacks sufficient information to determine the truth or falsity of the allegations  
5 made in Paragraph 42 of Plaintiff's Complaint, and therefore denies the allegations contained in  
6 Paragraph 42 of Plaintiff's Complaint.

7 1.43 PCS lacks sufficient information to determine the truth or falsity of the allegations  
8 made in Paragraph 43 of Plaintiff's Complaint, and therefore denies the allegations contained in  
9 Paragraph 43 of Plaintiff's Complaint.

10 1.44 PCS denies the allegations contained in Paragraph 44 of Plaintiff's Complaint.

11 1.45 PCS denies the allegations contained in Paragraph 45 of Plaintiff's Complaint.

12 1.46 PCS lacks sufficient information to determine the truth or falsity of the allegations  
13 made in Paragraph 46 of Plaintiff's Complaint, and therefore denies the allegations contained in  
14 Paragraph 46 of Plaintiff's Complaint.

15 1.47 PCS lacks sufficient information to determine the truth or falsity of the allegations  
16 made in Paragraph 47 of Plaintiff's Complaint, and therefore denies the allegations contained in  
17 Paragraph 47 of Plaintiff's Complaint.

18 1.48 PCS admits reporting the account to credit reporting agencies, and denies the  
19 remaining allegations contained in Paragraph 48 of Plaintiff's Complaint.

20 1.49 PCS denies the allegations contained in Paragraph 49 of Plaintiff's Complaint.

21 1.50 PCS denies the allegations contained in Paragraph 50 of Plaintiff's Complaint.

22 1.51 PCS denies the allegations contained in Paragraph 51 of Plaintiff's Complaint.

23 1.52 PCS denies the allegations contained in Paragraph 52 of Plaintiff's Complaint.

24 1.53 PCS admits reporting the account to credit reporting agencies, and denies the  
25 remaining allegations contained in Paragraph 53 of Plaintiff's Complaint.

26 1.54 PCS admits reporting the account to credit reporting agencies, and denies the

1 remaining allegations contained in Paragraph 54 of Plaintiff's Complaint.

2 1.55 PCS admits reporting the account to credit reporting agencies, and denies the  
3 remaining allegations contained in Paragraph 55 of Plaintiff's Complaint.

4 1.56 PCS admits reporting the account to credit reporting agencies, and denies the  
5 remaining allegations contained in Paragraph 56 of Plaintiff's Complaint.

6 1.57 PCS admits reporting the account to credit reporting agencies, and denies the  
7 remaining allegations contained in Paragraph 57 of Plaintiff's Complaint.

8 1.58 PCS admits reporting the account to credit reporting agencies, and denies the  
9 remaining allegations contained in Paragraph 58 of Plaintiff's Complaint.

10 1.59 PCS admits reporting the account to credit reporting agencies, and denies the  
11 remaining allegations contained in Paragraph 59 of Plaintiff's Complaint.

12 1.60 PCS admits reporting the account to credit reporting agencies, and denies the  
13 remaining allegations contained in Paragraph 60 of Plaintiff's Complaint.

14 1.61 PCS admits reporting the account to credit reporting agencies, and denies the  
15 remaining allegations contained in Paragraph 61 of Plaintiff's Complaint.

16 1.62 PCS admits reporting the account to credit reporting agencies, and denies the  
17 remaining allegations contained in Paragraph 62 of Plaintiff's Complaint.

18 1.63 PCS admits reporting the account to credit reporting agencies, and denies the  
19 remaining allegations contained in Paragraph 63 of Plaintiff's Complaint

20 1.64 PCS admits and denies the allegations made in Paragraph 64 of Plaintiff's  
21 Complaint as set forth in Paragraphs 1.49 through 1.63 above.

22 1.65 PCS lacks sufficient information to determine the truth or falsity of the allegations  
23 made in Paragraph 65 of Plaintiff's Complaint, and therefore denies the allegations contained in  
24 Paragraph 65 of Plaintiff's Complaint.

25 1.66 PCS admits and denies the allegations made in Paragraph 66 of Plaintiff's  
26 Complaint as set forth in Paragraphs 1.49 through 1.63 above.

1           1.67    PCS lacks sufficient information to determine the truth or falsity of the allegations  
2 made in Paragraph 67 of Plaintiff's Complaint, and therefore denies the allegations contained in  
3 Paragraph 67 of Plaintiff's Complaint.

4           1.68    PCS denies the allegations contained in Paragraph 68 of Plaintiff's Complaint.

5           1.69    PCS denies the allegations contained in Paragraph 69 of Plaintiff's Complaint.

6           1.70    PCS denies the allegations contained in Paragraph 70 of Plaintiff's Complaint.

7           1.71    PCS denies the allegations contained in Paragraph 71 of Plaintiff's Complaint.

8           1.72    PCS denies allegations contained in Paragraph 72 of Plaintiff's Complaint.

9           1.73    PCS denies the allegations contained in Paragraph 73 of Plaintiff's Complaint.

10          1.74    PCS denies the allegations contained in Paragraph 74 of Plaintiff's Complaint.

11          1.75    PCS denies the allegations contained in Paragraph 75 of Plaintiff's Complaint.

12          1.76    PCS denies the allegations contained in Paragraph 76 of Plaintiff's Complaint.

13          1.77    PCS admits it has records of the information reported to credit reporting agencies  
14 regarding Plaintiff, and denies the remaining allegations contained in Paragraph 77 of Plaintiff's  
15 Complaint.

16          1.78    PCS admits it has records of the information reported to credit reporting agencies  
17 regarding Plaintiff, and denies the remaining allegations contained in Paragraph 78 of Plaintiff's  
18 Complaint.

19          1.79    PCS admits it has records of the information reported to credit reporting agencies  
20 regarding Plaintiff, and denies the remaining allegations contained in Paragraph 79 of Plaintiff's  
21 Complaint.

22          1.80    PCS admits it has records of the information reported to credit reporting agencies  
23 regarding Plaintiff, and denies the remaining allegations contained in Paragraph 80 of Plaintiff's  
24 Complaint.

25          1.81    PCS denies the allegations contained in Paragraph 81 of Plaintiff's Complaint.

26          1.82    PCS denies the allegations contained in Paragraph 82 of Plaintiff's Complaint.

1.83 The allegations contained in Paragraph 83 of Plaintiff's Complaint are legal conclusions to which no admission or denial is required.

1.84 PCS denies the allegations contained in Paragraph 84 of Plaintiff's Complaint.

1.85 PCS admits and denies the allegations made in Paragraph 85 of Plaintiff's Complaint as set forth in Paragraphs 1.1 through 1.84 above.

1.86 PCS denies the allegations contained in Paragraph 86 of Plaintiff's Complaint.

1.87 PCS denies the allegations contained in Paragraph 87 of Plaintiff's Complaint.

1.88 Except as so admitted, PCS denies each and every allegation in Plaintiff's Complaint.

## II. AFFIRMATIVE DEFENSES

Having answered Plaintiff's complaint, PCS alleges the following affirmative defenses.

2.1. **Failure to State Claims.**

2.2. **Lack of Subject Matter Jurisdiction.**

2.3. **Lack of Real Party in Interest.**

2.4. **Statute of Limitations.**

2.5. **Bonafide Error.**

## III. PRAYER

Wherefore having fully answered Plaintiff's complaint, having interposed affirmative defenses, PCS prays for the following relief:



3.1. Dismissal of the Action with prejudice, and with costs and attorney fees to PCS.

3.2. For such other and further relief as may be provided by law.

Dated February 6, 2012.

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s/ Jeffrey I. Hasson

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*Attorney for Pinnacle Credit Services, LLC*

Certificate of Service

I hereby certify that on February 6, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: James Sturdevant and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

s/ Jeffrey I. Hasson  
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